

REMARKS

In the action of December 27, 2010, the examiner accepted the substitute specification, which is gratefully acknowledged; objected to the drawings relative to Figure 5 and Figures 7 and 8 and required corrected drawings; rejected claim 14 under 35 USC § 112, second paragraph; rejected claims 1-5 and 7 under 35 USC § 103(a) as unpatentable over Adamsson in view of Urbush; rejected claims 8, 10 and 13-17 under 35 USC § 103(a) as unpatentable over Calabrese in view of Shipp; and rejected claims 8, 10 and 13-17 under 35 USC § 103 as unpatentable over Gavney, Jr. in view of Calabrese.

Initially note that the applicant has submitted replacement sheets which include amended Figure 5 and new Figure 7. These replacement sheets are believed to be responsive to the examiner's objections to the drawings, although the examiner's objection to Figures 7 and 8 is not completely clear to applicant's attorney. Figure 7, which illustrates the subject matter of original claims 16 and 17, is supported by the original claims as well as the specification. No new matter is included. Acceptance of the replacement drawings is respectfully requested.

Applicant has amended claim 1 to clarify the invention over Adamsson in view of Urbush. As pointed out in the previous amendment, there is a clear difference, which can be readily seen upon inspection of Adamsson, between applicant's structure and Adamsson, concerning the height of the rim portion relative to the bristle height. There appears to be a difference of opinion with the examiner relative to the meaning of the term "substantially". In order to resolve the matter, applicant has substituted the word "approximately" for "substantially". The dictionary definition of "approximately" is "close to the actual". Adamsson's rim cannot be interpreted to be close to at least 50% of the height of the bristles. Note in column 2, line 17, ridge 16 is described as "low". The Adamsson structure cannot accomplish the function of directing fluid to the teeth. Both structurally and functionally, there is hence a significant difference between the subject matter of claim 1 and the combination of Adamsson and Urbush. Hence, claim 1 is allowable over the references.

Also, claim 3 should be carefully noted. Rim 16 in Adamsson appears to be relatively stiff so as to accomplish the desired function of "preventing escape of the dentifrice over the sides and ends of the head". There is nothing in Adamsson which teaches a "difference in

flexibility" as set forth in claim 3 asserted by the examiner on page 6 of the action. Claim 3 is thus independently patentable over Adamsson and Urbush.

Claim 8 has been amended to clarify the invention relative to Calabrese and Shipp and also Gavney and Shipp. Note first with respect to Gavney that there are no bristles which are positioned between the two paddle members; rather, the bristles extend entirely around the paddle members. This is different than Gavney. Further, the paddle members are straight and extend for substantially the entire length of the bristle field. The defined structure produces the desired fluid-directing effect. The structure of Gavney, even as modified by Calabrese, does not have such a fluid-directing effect. The claimed arrangement is not taught by Gavney and Calabrese. Hence, claim 1 is patentable over Gavney and Calabrese.

With respect to Calabrese and Shipp, note that the claimed paddle members are straight and that there are at least two paddle members, which parallel each other. While Shipp discloses more than one prophy cup, none of the Shipp multiple prophy cups extend for the entire length of the brushhead. Calabrese does not include bristles which extend entirely around the paddle members, nor are/do the Calabrese paddle members both straight and extend for the length of the brushhead. These physical structural differences distinguish claim 8 from the combination of Calabrese and Shipp. Claim 8 is thus patentable over Calabrese and Shipp.

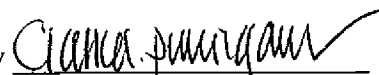
Further, note claims 16 and 17, directed toward paddle members with wing portions. Neither Calabrese nor Shipp disclose wing portions having the arrangement claimed relative to the paddle members set forth in those claims. Hence, claims 16 and 17 are independently patentable over Calabrese and Shipp.

Since claims 2-5 and 7 are dependent upon claim 1, and claims 10 and 13-17 are dependent upon claim 8, those claims are also allowable.

Allowance of the application is now respectfully requested.

The Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account 14-1270.

Respectfully submitted,
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